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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/036,339	12/26/2001	Robert Lynn Ellis	18030.P0001	3313
7590 06/13/2006				
Robert Lynn Ellis 2456 Minden Way Sacramento, CA 95835				
		EXAMINER APPLE, KJRSTEN SACHWITZ		
		ART UNIT 3628 PAPER NUMBER		

DATE MAILED: 06/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/036,339	Applicant(s) ELLIS, ROBERT LYNN	
	Examiner Kirsten S. Apple	Art Unit 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

This action is in response to the application filed on 12/26/2001.

Priority

Acknowledgment is made of applicant's claim for prior priority date of U.S.

Provisional Patent Application 60/258,908 filed on 12/26/2000.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Rivera (US Patent 5,686,713).

Re claim 1: Rivera discloses:

A method for conducting a financial transaction (see Rivera, Abstract), comprising:

Providing a cash acceptance device at a point of presence (see Rivera, Figure 1)

Communicating an amount of cash received for a selected transaction to a server geographically distinct from the point of presence and (see Rivera, Figure 2, Item 28)

Executing the selected transactions if the amount received is greater than or equal to the amount required for the selected transactions (see Rivera, Figure 2, Item 32, 34 or 18)

Re claim 2: Rivera discloses:

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Step of validating deposited cash (see Rivera, Figure 4 “count cash”)

Re claim 3: Rivera discloses:

Cash = government issued paper money or coin (see Rivera, Abstract)

Re claim 4: Rivera discloses:

Cash = check and a money order (see Rivera, Paragraph 16, list line)

Re claim 5: Rivera discloses:

Selected transaction is for the purchase of a good (see Rivera, Paragraph 15, line 14)

Re claim 6: Rivera discloses:

Selected transaction is for the purchase of a good (see Rivera, Paragraph 15, line 14)

Re claim 7: Rivera discloses:

The step of providing an activation code to the depositor if the amount received is greater than or equal to the amount required for the selected transaction, wherein the activation code permits the depositor to enable a good or activate a service that is the subject matter of the transaction. (see Rivera, Figure 4, “verification”)

Re claim 8: Rivera discloses:

An apparatus for conducting e-commerce transactions (see Rivera, Abstract) comprises:

A cash acceptor – validates and tallies received cash (see Rivera, Figure 1)

A processor coupled to communicate the amount of the cash received to a geographically distinct server for application to a selected transaction (see Rivera,

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Figure 2, item 28) – the processor generates a receipt (see Rivera, Figure 4, “print & dispense receipt”)

Re claim 9: Rivera discloses:

A printer for printing the receipt (see Rivera, Figure 4, “print & dispense receipt”)

Re claim 10: Rivera discloses:

A display having a graphical user interface for interactive identification of the selected transaction (see Rivera, Figure 1 & Figure 4, “verification”)

Re claim 11: Rivera discloses:

The processor coupled to the geographically distinct server by Internet

The examiner claims Official Notice that one of ordinary skill in art at the time of the invention would know that you could use the internet as a network server.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bator et al., U.S. Patent No 6,575,362, discloses money order kiosk.

Stoutenburg et al., U.S. Patent 6,488,203, teaches performing money order transactions.

Contact Information

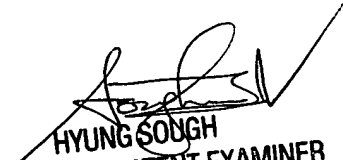
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kirsten S. Apple whose telephone number is 571.272.5588. The examiner can normally be reached on Monday - Friday 7:30-6:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sam Sough can be reached on 571.272.6799. The fax phone number for the organization where this application or proceeding is assigned is 571-272-6126.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ksa


HYUNG SOUGH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600